

**THURSDAY, FEBRUARY 23, 2023**

**NINTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Pastor Darrell Ridgely, McLemoresville Baptist Church, McLemoresville, TN.

Representative B. Martin led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 95

Representatives present were Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 95

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Love

Representative Carr; illness

Representative Dixie; personal

**PRESENT IN CHAMBER**

Reps. Parkinson and Dixie were recorded as being present in the Chamber.

**COMMUNICATION**  
**February 23, 2023**

Dear Speaker Sexton –

I would like to appoint Rep. Gloria Johnson as my designee for the House Government Operations Committee and the Joint Government Operations Committee Rule Review for the 113<sup>th</sup> Tennessee General Assembly Legislative Session.

Thank you for your time and consideration in this matter.

Sincerely,

/s/ Karen Camper  
House Minority Leader  
Shelby County, District 87

CC: Chairman John Ragan  
CC: Rep. Gloria Johnson

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 55** Reps. Barrett, Clemmons, Reedy and Williams as prime sponsors.

**House Joint Resolution No. 94** Reps. Lamberth, Doggett, Hulsey, Davis and Moody as prime sponsors.

**House Joint Resolution No. 107** Reps. Cochran and Whitson as prime sponsors.

**House Joint Resolution No. 118** Reps. Sherrell, G. Hicks, Terry and Mitchell as prime sponsors.

**House Joint Resolution No. 155** Rep. Darby as prime sponsor.

**House Joint Resolution No. 223** Rep. Williams as prime sponsor.

**House Joint Resolution No. 229** Rep. Lynn as prime sponsor.

**House Joint Resolution No. 230** Rep. Clemmons as prime sponsor.

**House Joint Resolution No. 235** Rep. Clemmons as prime sponsor.

**House Joint Resolution No. 238** Reps. Barrett, Clemmons, Doggett and Reedy as prime sponsors.

**House Joint Resolution No. 239** Rep. Rudd as prime sponsor.

**House Bill No. 1** Reps. Holsclaw, Baum, Boyd, Campbell, Moody, Powers and Reedy as prime sponsors.

**House Bill No. 2** Rep. Capley as prime sponsor.

**House Bill No. 5** Rep. Sherrell as prime sponsor.

**House Bill No. 9** Reps. Slater, Keisling, Leatherwood, Baum, Campbell, Capley, Cochran, Eldridge, Grills, Haston, Powers, Ragan, Reedy, Warner, Williams and Zachary as prime sponsors.

**House Bill No. 17** Rep. Vital as prime sponsor.

**House Bill No. 29** Reps. Vital, Hurt, Jernigan, Ragan and White as prime sponsors.

**House Bill No. 40** Rep. Fritts as prime sponsor.

**House Bill No. 57** Rep. Powers as prime sponsor.

**House Bill No. 66** Reps. Lynn, Moody and Ragan as prime sponsors.

**House Bill No. 81** Rep. Lynn as prime sponsor.

**House Bill No. 104** Rep. Lamberth as prime sponsor.

**House Bill No. 128** Rep. Clemmons as prime sponsor.

**House Bill No. 172** Rep. Jernigan as prime sponsor.

**House Bill No. 239** Rep. Barrett as prime sponsor.

**House Bill No. 405** Reps. Raper, Rudd and Doggett as prime sponsors.

**House Bill No. 407** Rep. Faison as prime sponsor.

**House Bill No. 413** Reps. Leatherwood and Lynn as prime sponsors.

**House Bill No. 484** Rep. Davis as prime sponsor.

**House Bill No. 486** Reps. Hale and Powers as prime sponsors.

**House Bill No. 489** Rep. Williams as prime sponsor.

**House Bill No. 495** Reps. Terry and Sherrell as prime sponsors.

**House Bill No. 557** Rep. Sherrell as prime sponsor.

**House Bill No. 571** Reps. Eldridge, Hurt, Capley, Sparks, Reedy, Russell, Boyd and Rudd as prime sponsors.

**House Bill No. 578** Reps. Gillespie and Kumar as prime sponsors.

**House Bill No. 608** Rep. Helton-Haynes as prime sponsor.

**House Bill No. 647** Rep. Jernigan as prime sponsor.

**House Bill No. 701** Rep. Whitson as prime sponsor.

**House Bill No. 702** Rep. Capley as prime sponsor.

**House Bill No. 726** Rep. Fritts as prime sponsor.

**House Bill No. 789** Rep. Lafferty as prime sponsor.

**House Bill No. 940** Rep. Crawford as prime sponsor.

**House Bill No. 942** Rep. Freeman as prime sponsor.

**House Bill No. 976** Reps. Rudd, Shaw, Helton-Haynes, Harris and G. Martin as prime sponsors.

**House Bill No. 1005** Rep. Todd as prime sponsor.

**House Bill No. 1085** Rep. Gillespie as First prime sponsor.

**House Bill No. 1101** Rep. Fritts as prime sponsor.

**House Bill No. 1129** Rep. Camper as First prime sponsor.

**House Bill No. 1184** Reps. G. Martin and Fritts as prime sponsors.

**House Bill No. 1186** Rep. Lamberth as prime sponsor.

**House Bill No. 1187** Reps. Helton-Haynes, B. Martin, Darby, Grills, White, Sparks, Leatherwood, Bricken, Doggett, Wright, Fritts, Gillespie and Raper as prime sponsors.

**House Bill No. 1189** Rep. Eldridge as prime sponsor.

**House Bill No. 1206** Rep. Cepicky as First prime sponsor.

**House Bill No. 1232** Rep. White as prime sponsor.

**House Bill No. 1276** Rep. Boyd as First prime sponsor.

**House Bill No. 1280** Reps. B. Martin, Burkhart, Moody, Grills, Kumar, Reedy, Slater, Todd, Doggett, Leatherwood, Eldridge, Moon, Sparks and Sherrell as prime sponsors.

**House Bill No. 1307** Reps. Wright, Bricken, Gant, Rudder, Dixie, G. Hicks, Sparks, Farmer and Raper as prime sponsors.

**House Bill No. 1335** Rep. White as First prime sponsor.

**House Bill No. 1342** Rep. Vaughan as prime sponsor.

**House Bill No. 1355** Rep. Cepicky as prime sponsor.

**House Bill No. 1376** Rep. Fritts as prime sponsor.

**House Bill No. 1378** Rep. Fritts as prime sponsor.

**House Bill No. 1380** Rep. Fritts as prime sponsor.

**House Bill No. 1382** Rep. Fritts as prime sponsor.

**House Bill No. 1383** Rep. Fritts as prime sponsor.

**House Bill No. 1415** Rep. Fritts as prime sponsor.

**House Bill No. 1416** Rep. Fritts as prime sponsor.

**House Bill No. 1429** Rep. Lamberth as prime sponsor.

**House Bill No. 1431** Rep. Lamberth as prime sponsor.

**House Bill No. 1472** Rep. Pearson as First prime sponsor.

**House Bill No. 1473** Rep. Pearson as First prime sponsor.

**House Bill No. 1479** Rep. Fritts as prime sponsor.

**House Bill No. 1480** Rep. Fritts as prime sponsor.

**House Bill No. 1481** Rep. Fritts as prime sponsor.

**House Bill No. 1524** Rep. C. Johnson as prime sponsor.

**House Bill No. 1526** Rep. Kumar as First prime sponsor.

#### **SPONSORS WITHDRAWN**

On Motion, Rep. McCalmon withdrew as sponsor of **House Bill No. 789**.

On Motion, Reps. White and Carr withdrew as sponsor of **House Bill No. 883**.

On Motion, Rep. Terry withdrew as sponsor of **House Bill No. 981**.

On Motion, Rep. Cochran withdrew as sponsor of **House Bill No. 1276**.

On Motion, Rep. Alexander withdrew as sponsor of **House Bill No. 1526**.

**REPORT OF CHIEF ENGROSSING CLERK  
February 17, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 169, 170, 171 and 172; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR  
February 17, 2023**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 149, 150, 151, 152, 161, 162, 163, 164, 169, 170, 171 and 172; with his approval.

ERIN MERRICK, Chief Counsel to the Governor

**MESSAGE FROM THE SENATE  
February 21, 2023**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 165, 166 and 168; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
February 21, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 218; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
February 21, 2023**

The Speaker announced that he had signed the following: Senate Joint Resolution No. 218.

TAMMY LETZLER, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

February 21, 2023

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 165, 166 and 168; for his action.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
February 21, 2023

The Speaker announced that he had signed the following: Senate Bills Nos. 30, 31, 35, 45, 47, 50, 51, 52, 57, 58, 59, 60, 61, 62, 67, 237 and 258.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE**  
February 22, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 53; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
February 23, 2023

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 262, 265 and 676; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 262** -- Environment and Conservation, Department of - As introduced, allows the department to disclose motor vehicle accident reports to authorized persons relating to a guest's use of state parks. - Amends TCA Section 11-1-102. by \*Johnson, \*Southerland. (\*HB81 by \*Lamberth, \*Cochran, \*Capley, \*Lynn)

**\*Senate Bill No. 265** -- Law Enforcement - As introduced, prohibits the POST commission from certifying a person decertified in another state because of criminal or other misconduct; requires the commission to evaluate the qualifications of a person certified as a law enforcement officer in another state by reviewing the person's training, practical experience, and education. - Amends TCA Title 38, Chapter 8, Part 1. by \*Johnson, \*Gardenhire, \*Lamar, \*Yarbro. (HB313 by \*Lamberth, \*Cochran, \*Russell)

**Senate Bill No. 676** -- Banks and Financial Institutions - As introduced, specifies that the requirement to notify the department of revenue of the death of the sole or last surviving lessee of a safe deposit box does not apply if the lessee died after December 31, 2015; specifies that a state trust institution is not required to publish public notice in order to establish and maintain a new trust office; authorizes the holder of debt secured by a mortgage, deed of trust, or other lien to assess and collect fees from the borrower of the debt for the anticipated or

actual costs of making entry of partial or entire payments upon the record, or for registering a formal release. - Amends TCA Title 45 and Title 66. by \*Reeves. (\*HB489 by \*Boyd, \*Williams)

**MESSAGE FROM THE SENATE  
February 23, 2023**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 211; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 211** -- Memorials, Retirement - Dr. James L. "Jim" Decker. by \*Massey, \*Briggs, \*McNally, \*Powers.

**WELCOMING AND HONORING**

**RECOGNITION IN THE WELL**

Representative Slater, joined by Rep. Garrett was recognized in the Well to introduce the Liberty Creek Choir who sang the National Anthem and "God Bless the USA."

**RECOGNITION IN THE WELL**

Representative Grills was recognized in the Well to introduce the FFA delegation.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 261** -- General Assembly, Confirmation of Appointment - Lea Bartch, Standards Recommendation Committee for Science and Social Studies. by \*Sexton.

House Education Instruction Committee

**\*House Joint Resolution No. 263** -- General Assembly, Confirmation of Appointment - Katherine Shultz, Standards Recommendation Committee for Science and Social Studies. by \*Zachary.

House Education Instruction Committee



**\*House Joint Resolution No. 274** -- General Assembly, Confirmation of Appointment - Ray Smith, Standards Recommendation Committee for Science and Social Studies. by \*Ragan.

House Education Instruction Committee

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for February 27, 2023:

**House Resolution No. 21** -- Memorials, Sports - Goodpasture Christian School baseball team, TSSAA Division II, Class A 2022 state champions. by \*Garrett.

**House Resolution No. 22** -- Memorials, Death - Joy Mahana Bishop. by \*Richey.

**House Resolution No. 23** -- Memorials, Death - Leffrey Holden Lail. by \*Richey.

**House Resolution No. 24** -- Memorials, Death - Theadore George Trohanowsky. by \*Richey.

**House Resolution No. 25** -- Memorials, Death - Joel Richard Horton. by \*Richey.

**House Resolution No. 26** -- Memorials, Death - Frank "Rick" Easter. by \*Richey.

**\*House Joint Resolution No. 241** -- Memorials, Personal Achievement - Nicholas James Romsdal, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 242** -- Memorials, Personal Achievement - David Wayne Windham, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 243** -- Memorials, Personal Achievement - Jackson Lloyd Blakemore, Eagle Scout. by \*Capley.

**\*House Joint Resolution No. 244** -- Memorials, Personal Achievement - Alexander Mason Eledge, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 245** -- Memorials, Personal Achievement - Carter Davis, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 246** -- Memorials, Personal Achievement - William Thomas Voss, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 247** -- Memorials, Personal Achievement - Colby Ray Adams, Eagle Scout. by \*Cepicky.

**THURSDAY, FEBRUARY 23, 2023 – NINTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Joint Resolution No. 248** -- Memorials, Personal Occasion - Ross Michael Kenney, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 249** -- Memorials, Personal Achievement - John Ryan Massey, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 250** -- Memorials, Personal Achievement - Johnathon Alexander Pardue, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 251** -- Memorials, Personal Achievement - William Lawrence Cole, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 252** -- Memorials, Personal Achievement - Zachariah Garrison Penrod, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 253** -- Memorials, Personal Achievement - Jonathan Gabriel Hall, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 254** -- Memorials, Personal Achievement - Gary Alan Erfourth III, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 255** -- Memorials, Personal Achievement - Thomas Gordon Skelley, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 256** -- Memorials, Personal Achievement - Jason Lee Erfourth, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 257** -- Memorials, Personal Achievement - James Alan Erfourth, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 258** -- Memorials, Personal Achievement - Tye Alan Stevens, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 259** -- Memorials, Personal Achievement - Landen Krantz, Eagle Scout. by \*Cepicky.

**\*House Joint Resolution No. 260** -- Memorials, Death - Leffrey Holden Lail. by \*Moon.

**\*House Joint Resolution No. 262** -- Memorials, Professional Achievement - Captain Belinda N. Lewis, Education and Training Officer of the Year. by \*Ragan.

**\*House Joint Resolution No. 264** -- Memorials, Sports - Johnny Rich, Clay County Sports Hall of Fame. by \*Keisling.

**\*House Joint Resolution No. 265** -- Memorials, Sports - Todd Upton, Clay County Sports Hall of Fame. by \*Keisling.

**\*House Joint Resolution No. 266** -- Memorials, Sports - Gary "Spark" Short, Clay County Sports Hall of Fame. by \*Keisling.

**THURSDAY, FEBRUARY 23, 2023 – NINTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Joint Resolution No. 267** -- Memorials, Sports - Leon Watson, Clay County Sports Hall of Fame. by \*Keisling.

**\*House Joint Resolution No. 268** -- Memorials, Death - Dennis A. Wolford. by \*Keisling.

**\*House Joint Resolution No. 269** -- Memorials, Recognition - Clay County Farm Bureau, President Award. by \*Keisling.

**\*House Joint Resolution No. 270** -- Memorials, Personal Occasion - Ralph and Dean Ferguson, 67th wedding anniversary. by \*Keisling.

**\*House Joint Resolution No. 271** -- Memorials, Recognition - Crystal Justice, Community Service Award. by \*Keisling.

**\*House Joint Resolution No. 272** -- Memorials, Recognition - Melvin Grace. by \*Keisling.

**\*House Joint Resolution No. 273** -- Memorials, Death - Chief Warrant Officer Three Danny Randolph and Chief Warrant Officer Three Daniel Wadham, Tennessee Army National Guard. by \*Hale.

**\*House Joint Resolution No. 275** -- Memorials, Death - Colonel (Ret.) Patrick "Rage" Ragan. by \*Butler, \*Ragan, \*Lamberth, \*Camper, \*Barrett, \*Martin G.

**\*House Joint Resolution No. 276** -- Memorials, Recognition - Gene Noel Martin. by \*Butler.

**\*House Joint Resolution No. 277** -- Memorials, Recognition - THDA, 50th anniversary. by \*Sexton.

**\*House Joint Resolution No. 278** -- Memorials, Recognition - Mark Pulliam. by \*Richey.

**\*House Joint Resolution No. 279** -- Memorials, Recognition - Waves, Inc., 50th anniversary. by \*Whitson.

**\*House Joint Resolution No. 280** -- Memorials, Professional Achievement - Lacy Eckart, 2022-2023 Cannon County Schools Grades 9-12 Teacher of the Year. by \*Hale.

**\*House Joint Resolution No. 281** -- Memorials, Professional Achievement - Melissa Patterson Anderson, 2022-2023 Cannon County Schools Grades 5-8 Teacher of the Year. by \*Hale.

**\*House Joint Resolution No. 282** -- Memorials, Professional Achievement - Elleana Nave, 2022-2023 Cannon County Schools Grades PreK-4 Teacher of the Year. by \*Hale.

**\*House Joint Resolution No. 283** -- Memorials, Recognition - Ava Grayson Sykes, Mule Day Court. by \*Cepicky.

**THURSDAY, FEBRUARY 23, 2023 – NINTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Joint Resolution No. 284** -- Memorials, Recognition - Kennedy Bragg, Mule Day Court. by \*Cepicky.

**\*House Joint Resolution No. 285** -- Memorials, Recognition - Anissa Rose Grimes, Mule Day Court. by \*Cepicky.

**\*House Joint Resolution No. 286** -- Memorials, Recognition - Graciee Katherine English, Mule Day Court. by \*Cepicky.

**\*House Joint Resolution No. 287** -- Memorials, Recognition - Addyson Codling, 2023 Mule Day Queen. by \*Cepicky.

**\*House Joint Resolution No. 288** -- Memorials, Heroism - Officer Tina Shaw. by \*Parkinson, \*Thompson, \*Leatherwood, \*Towns, \*Gillespie, \*Hardaway, \*Vaughan, \*Camper, \*Chism.

**\*House Joint Resolution No. 289** -- Memorials, Death - Lawson Spires Whitaker III. by \*Vital, \*Helton-Haynes, \*Martin G, \*Hakeem, \*Hazlewood.

**\*House Joint Resolution No. 290** -- Memorials, Death - Garry "Mac" McGowan. by \*Vital, \*Helton-Haynes, \*Martin G, \*Hakeem, \*Hazlewood.

**\*House Joint Resolution No. 291** -- Memorials, Recognition - Military Equal Opportunity Black History Month. by \*Glynn, \*Burkhart, \*Johnson C.

**\*House Joint Resolution No. 292** -- Memorials, Professional Achievement - Layne Talbott, Bedford County Schools Principal of the Year. by \*Marsh.

**\*House Joint Resolution No. 293** -- Memorials, Professional Achievement - Julie Haynes, Bedford County Schools Supervisor of the Year. by \*Marsh.

**\*House Joint Resolution No. 294** -- Memorials, Professional Achievement - Beth Neubauer, Blanche School Teacher of the Year. by \*Marsh.

**\*House Joint Resolution No. 295** -- Memorials, Professional Achievement - Betsy Davis, Fayetteville High School Teacher of the Year. by \*Marsh.

**\*House Joint Resolution No. 296** -- Memorials, Professional Achievement - Edie Martin, Lincoln County High School Teacher of the Year. by \*Marsh.

**\*House Joint Resolution No. 297** -- Memorials, Recognition - Kevin Posey, Governor's Volunteer Stars Award. by \*Doggett, \*Marsh.

**\*House Joint Resolution No. 302** -- Memorials, Recognition - Oak Ridge National Laboratory, 80th anniversary. by \*Ragan.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution listed was noted as being placed on the Consent Calendar for February 27, 2023:

**\*Senate Joint Resolution No. 211** -- Memorials, Retirement - Dr. James L. "Jim" Decker. by \*Massey, \*Briggs, \*McNally, \*Powers.

### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 12** -- Education - As introduced, expands the eligibility criteria for an education savings account to include students zoned to attend a school in an LEA with at least five schools, instead of at least 10, identified as being in the bottom 10 percent of schools in 2017 and identified as priority schools in the 2015, 2018, and 2021 priority school cycles. - Amends TCA Title 49, Chapter 6. by \*Gardenhire. (HB433 by \*White, \*Hazlewood, \*Bulso)

**Senate Bill No. 259** -- Driver Licenses - As introduced, requires proof of financial responsibility be maintained for the period of a driver license's suspension or revocation rather than for a period of three years in order for a person's registration to not be suspended or revoked when the commissioner of safety suspends or revokes the person's license by reason of a conviction; makes other revisions related to compliance with proof of financial responsibility requirements. - Amends TCA Title 55, Chapter 12, Part 1 and Section 55-50-303. by \*Johnson, \*Taylor, \*Powers. (\*HB78 by \*Lamberth, \*Cochran)

**Senate Bill No. 263** -- Workers Compensation - As introduced, makes various changes to the Workers' Compensation Law. - Amends TCA Title 50, Chapter 6. by \*Johnson. (\*HB82 by \*Lamberth, \*Cochran, \*Boyd)

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 1542** -- Bond Issues -- House Finance, Ways, and Means Committee

**\*House Bill No. 1543** -- Budget Procedures -- House Finance, Ways, and Means Committee

**\*House Bill No. 1544** -- Appropriations -- House Finance, Ways, and Means Committee

**\*House Bill No. 1545** -- Appropriations -- House Finance, Ways, and Means Committee

\***House Bill No. 1546** -- Burns -- House Local Government Committee

\***House Bill No. 1547** -- Livingston -- House Local Government Committee

\***House Bill No. 1548** -- Gallatin -- House Local Government Committee

### **PETITIONS AND MEMORIALS**

The Clerk announced that Rep. Doggett filed an Assertion of Grievance by Address on behalf of Mr. Arthur J. Hirsch of Lawrence County.

### **CAPTION BILLS REFERRED February 21, 2023**

Pursuant to **Rule No. 47**, the following Caption Bills 87, 126, 526, 628, 818, 955 and 1206 held on the Clerk's desk were referred to the following Committees:

\***House Bill No. 87** -- Traffic Safety -- House Transportation Committee

\***House Bill No. 126** -- County Boundaries -- House Local Government Committee

\***House Bill No. 526** -- Utilities, Utility Districts -- House Local Government Committee

\***House Bill No. 628** -- Health Care -- House Health Committee

\***House Bill No. 818** -- School Transportation -- House Transportation Committee

\***House Bill No. 955** -- Taxes -- House Finance, Ways and Means Committee

\***House Bill No. 1206** -- Local Government, General -- House Local Government Committee

### **CAPTION BILLS REFERRED February 22, 2021**

Pursuant to **Rule No. 47**, the following Caption Bills 191, 397, 411, 471, 654, 692, 714, 718, 719, 722, 770, 781, 942, 1029, 1102, 1214, 1217, 1351, 1353, 1366, 1404, 1407, 1426 and 1506 held on the Clerk's desk were referred to the following Committees:

\***House Bill No. 191** -- Alcoholic Beverages -- House State Government Committee

\***House Bill No. 397** -- Alcoholic Beverages -- House State Government Committee

\***House Bill No. 411** -- Alcoholic Beverages -- House State Government Committee

\***House Bill No. 471** -- Business and Commerce -- House Local Government Committee

**\*House Bill No. 654** -- Taxes -- House Finance, Ways and Means Committee

**\*House Bill No. 692** -- Education, Dept. of -- House Education Administration Committee

**\*House Bill No. 714** -- Insurance Companies, Agents, Brokers, Policies -- House State Government Committee

**\*House Bill No. 718** -- Insurance Companies, Agents, Brokers, Policies -- House State Government Committee

**\*House Bill No. 719** -- Insurance Companies, Agents, Brokers, Policies -- House State Government Committee

**\*House Bill No. 722** -- Criminal Offenses -- House Criminal Justice Committee

**\*House Bill No. 770** -- Alcoholic Beverages -- House State Government Committee

**\*House Bill No. 781** -- Codes -- House Local Government Committee

**\*House Bill No. 942** -- Dentists and Dentistry -- House Health Committee

**\*House Bill No. 1029** -- Juvenile Offenders -- House Criminal Justice Committee

**\*House Bill No. 1102** -- Alcoholic Beverages -- House State Government Committee

**\*House Bill No. 1214** -- Local Education Agencies -- House Education Administration Committee

**\*House Bill No. 1217** -- Public Funds and Financing -- House State Government Committee

**\*House Bill No. 1351** -- Sheriffs -- House Civil Justice Committee

**\*House Bill No. 1353** -- Highway Signs -- House Transportation Committee

**\*House Bill No. 1366** -- Criminal Offenses -- House State Government Committee

**\*House Bill No. 1404** -- Abortion -- House Health Committee

**\*House Bill No. 1407** -- Alcoholic Beverages -- House State Government Committee

**\*House Bill No. 1426** -- Taxes, Exemption and Credits -- House Finance, Ways and Means Committee

**\*House Bill No. 1506** -- Abortion -- House Health Committee

## **REPORTS FROM STANDING COMMITTEES**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

The committees that met on **February 21, 2023**, reported the following:

**COMMERCE COMMITTEE**

The Commerce Committee recommended for passage: House Bills Nos. 1212, 136 and House Joint Resolution No. 135, also House Bills Nos. 1306 and 487 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 592 and 964, also House Bills Nos. 805, 54 and 82 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 316.

**CRIMINAL JUSTICE COMMITTEE**

The Criminal Justice Committee recommended for passage: House Bills Nos. 75 and 281 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 290, 484 and 1008. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**EDUCATION INSTRUCTION COMMITTEE**

The Education Instruction Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 896. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**INSURANCE COMMITTEE**

The Insurance Committee recommended for passage: House Bill No. 371, also House Bill No. 314 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 893, also House Bills Nos. 1215 and 152 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**LOCAL GOVERNMENT COMMITTEE**

The Local Government Committee recommended for passage: House Bills Nos. 1216, 483, 754, 636 and 1537. Under the rules, each was transmitted to the Calendar and Rules Committee.



It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 130 and 288. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 976 with amendments.

The Committee further reports that House Bill No. 405 was considered, but failed to pass.

### **TRANSPORTATION COMMITTEE**

The Transportation Committee recommended for passage: House Bills Nos. 180 and 353 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 356, 700 and 675. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 291.

### **REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 22, 2023**, reported the following:

#### **AGRICULTURE AND NATURAL RESOURCES COMMITTEE**

The Agriculture and Natural Resources Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 111 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### **CIVIL JUSTICE COMMITTEE**

The Civil Justice Committee recommended for passage: House Bills Nos. 808, 2, 339, 418, 65, 39, 338, 50, House Resolution No. 7 and House Joint Resolution No. 131, also House Bills Nos. 91 and 249 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1307, also House Bill No. 62 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### **HEALTH COMMITTEE**

The Health Committee recommended for passage: House Joint Resolution No. 118. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### **STATE GOVERNMENT COMMITTEE**

The State Government Committee recommended for passage: House Bills Nos. 522, 17, 948, 47, 1018 and House Joint Resolutions Nos. 23 and 58, also House Bills Nos. 182 and 184 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 671 and 145, also House Bills Nos. 452 and 1153 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 374.

### **REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 23, 2023**, reported the following:

#### **COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **February 27, 2023**: House Bill No. 1306, House Resolution No. 8, House Bills Nos. 38, 314, 487, 281, 184, 182, 353, 91, 75, 249, 180, 1537, 636, 252, 65, and House Joint Resolution No. 58.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **February 27, 2023**: House Bills Nos. 754, 39, 705, 1212, 1216, 1018, 948, 483, 522, House Joint Resolution No. 23, House Bill No. 339, House Joint Resolution No. 124, House Bills Nos. 808, 136, 371, and 17.

#### **CONSENT CALENDAR**

**\*House Bill No. 57** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the Insurance Holding Company System Act, including a requirement to file an annual group capital calculation, requirements regarding the use and filing of results of a liquidity stress test, and other related changes. - Amends TCA Title 56, Chapter 11. by \*Lamberth, \*Cochran, \*Campbell S, \*Powers.

**\*House Bill No. 72** -- Public Records - As introduced, removes a requirement to preserve leases to which the state is a party on microfilm and instead requires preservation of such leases on appropriate electronic or other storage media. - Amends TCA Section 10-7-303 and Section 12-2-108. by \*Lamberth, \*Cochran, \*Sparks, \*Jernigan.

**\*House Bill No. 128** -- Statutes of Limitations and Repose - As introduced, increases the statute of limitation for prosecution of official misconduct and destruction of and tampering with governmental records to six years from the date of the offense. - Amends TCA Title 40, Chapter 2. by \*Garrett, \*Bulso, \*Sherrell, \*Clemmons.

**House Bill No. 313** -- Law Enforcement - As introduced, prohibits the POST commission from certifying a person decertified in another state because of criminal or other misconduct; requires the commission to evaluate the qualifications of a person certified as a law enforcement officer in another state by reviewing the person's training, practical experience, and education. - Amends TCA Title 38, Chapter 8, Part 1. by \*Lamberth, \*Cochran, \*Russell.

**\*House Bill No. 489** -- Banks and Financial Institutions - As introduced, specifies that the requirement to notify the department of revenue of the death of the sole or last surviving lessee of a safe deposit box does not apply if the lessee died after December 31, 2015; specifies that a state trust institution is not required to publish public notice in order to establish and maintain a new trust office; authorizes the holder of debt secured by a mortgage, deed of trust, or other lien to assess and collect fees from the borrower of the debt for the anticipated or actual costs of making entry of partial or entire payments upon the record, or for registering a formal release. - Amends TCA Title 45 and Title 66. by \*Boyd, \*Williams.

**\*House Joint Resolution No. 55** -- Parks, Natural Areas Preservation - Recommends the designation of the Cumberland Trail State Scenic Trail as a state scenic and recreational trail. by \*Lamberth, \*Cochran, \*Keisling, \*Vital, \*Reedy, \*Williams, \*Clemmons, \*Barrett.

**\*House Bill No. 413** -- Probation and Parole - As introduced, states that the four years of qualifying full-time professional experience required to be a probation and parole officer may include experience in law enforcement or service in any branch of the United States armed forces. - Amends TCA Title 38 and Title 40. by \*Lamberth, \*Capley, \*Doggett, \*Leatherwood, \*Lynn.

**\*House Bill No. 450** -- Expunction - As introduced, allows a defendant or defendant's counsel, in addition to a judge or district attorney general, to request a certificate from the Tennessee bureau of investigation relative to a defendant's eligibility for pretrial diversion. - Amends TCA Title 38, Chapter 6, Part 1 and Title 40. by \*Lamberth, \*Bulso, \*Hardaway.

**House Resolution No. 20** -- Memorials, Personal Occasion - Charles L. Johnston, 80th birthday. by \*Jernigan.

**\*House Joint Resolution No. 222** -- Memorials, Recognition - Kendall Hamilton, Clay County 4-H Livestock Judging Team, Arizona National Livestock Judging Contest champion. by \*Keisling.

**\*House Joint Resolution No. 223** -- Memorials, Recognition - Gavin Giffey, Clay County 4-H Livestock Judging Team, Arizona National Livestock Judging Contest champion. by \*Keisling, \*Williams.

**\*House Joint Resolution No. 224** -- Memorials, Recognition - Eli Rich, Clay County 4-H Livestock Judging Team, Arizona National Livestock Judging Contest champion. by \*Keisling.

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**\*House Joint Resolution No. 225** -- Memorials, Professional Achievement - Michelle McRae, 2022-2023 Smith County Grades 9-12 Teacher of the Year. by \*Hale.

**\*House Joint Resolution No. 226** -- Memorials, Professional Achievement - Ben Malone, 2022-2023 Smith County Grades 5-8 Teacher of the Year. by \*Hale.

**\*House Joint Resolution No. 227** -- Memorials, Professional Achievement - Sheryl Taylor, 2022-2023 Smith County PreK-4 Teacher of the Year. by \*Hale.

**\*House Joint Resolution No. 228** -- Memorials, Sports - Ella VanVranken, 1,000 career points. by \*Hale.

**\*House Joint Resolution No. 229** -- Memorials, Recognition - Thomas W. Chester. by \*Boyd, \*Lynn.

**\*House Joint Resolution No. 230** -- Memorials, Recognition - Akilah DaSilva Foundation. by \*Jones, \*Clemmons.

**\*House Joint Resolution No. 231** -- Memorials, Recognition - Etta Simpson Ray. by \*Jones.

**\*House Joint Resolution No. 232** -- Memorials, Recognition - Dr. Bernard Lafayette, Jr. by \*Jones.

**\*House Joint Resolution No. 233** -- Memorials, Recognition - Serina Gilbert and Promise Land Heritage Association. by \*Jones, \*Barrett.

**\*House Joint Resolution No. 234** -- Memorials, Recognition - Champion Recovery Community. by \*Rudder.

**\*House Joint Resolution No. 235** -- Memorials, Recognition - International HPV Awareness Day. by \*Gillespie, \*Clemmons.

**\*House Joint Resolution No. 237** -- Memorials, Recognition - Vanilla Feeds Tomorrow, Inc. by \*Sexton.

**\*House Joint Resolution No. 238** -- Memorials, Recognition - National Wild Turkey Federation, 50th Anniversary. by \*Vital, \*Todd, \*Reedy, \*Doggett, \*Clemmons, \*Barrett.

**\*House Joint Resolution No. 239** -- Memorials, Recognition - Alex Belew. by \*Terry, \*Stevens, \*Baum, \*Sparks, \*Rudd.

**\*House Joint Resolution No. 240** -- Memorials, Recognition - Dawson's Men's Shop. by \*Eldridge.

**\*Senate Joint Resolution No. 159** -- Memorials, Recognition - Tennessee Credit Unions, 100 years. by \*Watson, \*Lundberg, \*Gardenhire, \*Lowe, \*Southerland, \*Akbari, \*Bowling, \*Briggs, \*Campbell, \*Crowe, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kyle, \*Lamar, \*Massey, \*Niceley, \*Oliver, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Stevens, \*Swann, \*Taylor, \*Walley, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 178** -- Memorials, Personal Occasion - Franklin Delano McKee, 90th birthday. by \*Pody.

**\*Senate Joint Resolution No. 180** -- Memorials, Recognition - Woodcuts Gallery and Framing, 35th anniversary. by \*Crowe, \*Oliver, \*Akbari, \*Bowling, \*Briggs, \*Campbell, \*Gardenhire, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kyle, \*Lamar, \*Lowe, \*Lundberg, \*Massey, \*Niceley, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Taylor, \*Walley, \*Watson, \*White, \*Yager, \*Yarbro, \*McNally.

**\*Senate Joint Resolution No. 185** -- Memorials, Recognition - Bradyville Church of Christ, 200th anniversary. by \*Reeves.

**\*Senate Joint Resolution No. 186** -- Memorials, Recognition - Curlee Church of Christ, 200th anniversary. by \*Reeves, \*White.

**\*Senate Joint Resolution No. 187** -- Memorials, Recognition - Briley Alley, Chick-fil-A Kid Created Game contest winner. by \*Southerland, \*White.

**\*Senate Joint Resolution No. 188** -- Memorials, Sports - Paige Niethammer, surpassed 1,000-point mark. by \*Southerland.

**\*Senate Joint Resolution No. 189** -- Memorials, Recognition - Walters State Debate team. by \*Southerland.

**\*Senate Joint Resolution No. 190** -- Memorials, Retirement - Vice Mayor Mike Proffitt. by \*Southerland.

**\*Senate Joint Resolution No. 191** -- Memorials, Personal Achievement - Austin Johnson, Eagle Scout. by \*Southerland.

**\*Senate Joint Resolution No. 192** -- Memorials, Professional Achievement - Alexis Lichlyter, Teacher of the Year, Lincoln Elementary School. by \*Southerland.

**\*Senate Joint Resolution No. 193** -- Memorials, Professional Achievement - Michele Owen, Tennessee Science Teachers Association's 2022 Science Educator of the Year award for grades 9-12. by \*Southerland, \*Swann.

**\*Senate Joint Resolution No. 194** -- Memorials, Sports - Carlos Orr, 1,000th career point. by \*Southerland.

**\*Senate Joint Resolution No. 195** -- Memorials, Sports - Rio Little, Tennessee Football Coaches Association and Tennessee Sports Writers Association All-State honors. by \*Southerland.

**\*Senate Joint Resolution No. 196** -- Memorials, Recognition - Jared Lester, TCAT Chancellor's Commendation for Military Veterans. by \*Southerland, \*Lundberg.

**\*Senate Joint Resolution No. 197** -- Memorials, Sports - Jordan Moore. by \*Southerland.

**\*Senate Joint Resolution No. 198** -- Memorials, Recognition - Samuel Hall, Wodapalooza CrossFit Festival finalist. by \*Southerland.

**\*Senate Joint Resolution No. 199** -- Memorials, Recognition - The Grease Rack, 50th anniversary. by \*Southerland.

**\*Senate Joint Resolution No. 200** -- Memorials, Professional Achievement - Sergeant Diana Morgan, Tennessee Highway Safety Office 2022 Speed Enforcement Award. by \*Southerland.

**\*Senate Joint Resolution No. 201** -- Memorials, Recognition - Ryan Wheeler, TMEA All-State choir. by \*Southerland.

**\*Senate Joint Resolution No. 202** -- Memorials, Public Service - Hugh Clement. by \*Southerland.

**\*Senate Joint Resolution No. 203** -- Memorials, Recognition - Mason Jerome Higgins, Sixth-Grade Winner of NSDAR American History Essay contest. by \*Southerland.

**\*Senate Joint Resolution No. 204** -- Memorials, Recognition - Bryson Bishop, Sixth-Grade Winner of NSDAR American History Essay contest. by \*Southerland.

**\*Senate Joint Resolution No. 205** -- Memorials, Recognition - Bentley Joshua Casey, Sixth-Grade Winner of NSDAR American History Essay contest. by \*Southerland.

**\*Senate Joint Resolution No. 206** -- Memorials, Recognition - Jacey Lanning, Seventh-Grade Winner of NSDAR American History Essay contest. by \*Southerland.

**\*Senate Joint Resolution No. 207** -- Memorials, Recognition - Greene County 4-H Honor Club, All-Stars. by \*Southerland.

**\*Senate Joint Resolution No. 208** -- Memorials, Sports - Tommy Mahoney, Division II Conference Commissioner's Association All-Super Region 2 football second team. by \*Southerland.

**\*Senate Joint Resolution No. 209** -- Memorials, Sports - Boyd Buchanan School boys' wrestling team, TSSAA Division II, Class A-AA duals wrestling state champions. by \*Watson, \*Gardenhire, \*Akbari, \*Bowling, \*Briggs, \*Campbell, \*Crowe, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kyle, \*Lamar, \*Lowe, \*Lundberg, \*Massey, \*Niceley, \*Oliver, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Taylor, \*Walley, \*White, \*Yager, \*Yarbro, \*McNally.

### **OBJECTION--CONSENT CALENDAR**

Objection was filed to the following on the Consent Calendar:

**Senate Joint Resolution No. 159:** by Rep. Faison

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Under the rules, Senate Joint Resolution No. 159, was placed at the heel of the calendar for February 27, 2023.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--94

Representatives present and not voting were: Crawford, Rudd--2

A motion to reconsider was tabled.

### REGULAR CALENDAR

**\*House Bill No. 29** -- Education, Higher - As introduced, authorizes a public institution of higher education to offer remedial or developmental courses or coursework to address student remedial needs, instead of prohibiting an institution from doing so. - Amends TCA Title 49, Chapter 7. by \*Cepicky, \*Vital, \*Jernigan, \*Ragan, \*Hurt, \*White. (SB89 by \*Hensley, \*Bowling)

Rep. Cepicky moved that House Bill No. 29 be passed on third and final consideration.

Rep. Moody moved adoption of Education Instruction Committee Amendment No. 1 as follows:

#### Amendment No. 1

AMEND House Bill No. 29 by deleting "if the university does not offer remedial or developmental courses or coursework" in subsection (b) of Section 1.

On motion, Education Instruction Committee Amendment No. 1 was adopted.

Rep. Cepicky moved that **House Bill No. 29**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Campbell S, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

**\*House Bill No. 486** -- Financial Disclosure - As introduced, requires political campaign committees to report contributions and expenditures for a local election to the registry of election finance rather than to the local county election commission; requires complaints on statements of local political campaign committees to be filed in the office of the registry of election finance rather than with the local district attorney. - Amends TCA Title 2, Chapter 10. by \*Boyd, \*Hale, \*Powers. (SB865 by \*Reeves)

Rep. Boyd moved that **House Bill No. 486** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Beck, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Camper, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powell, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--96



A motion to reconsider was tabled.

**House Bill No. 9** -- Obscenity and Pornography - As introduced, creates an offense for a person who engages in an adult cabaret performance on public property or in a location where the adult cabaret performance could be viewed by a person who is not an adult. - Amends TCA Title 7, Chapter 51, Part 14. by \*Todd, \*Richey, \*McCalmon, \*Cepicky, \*Moon, \*Barrett, \*Bulso, \*Raper, \*Howell, \*Hawk, \*Vital, \*Moody, \*Davis, \*Sherrell, \*Gant, \*Fritts, \*Lynn, \*Sparks, \*Butler, \*Slater, \*Keisling, \*Reedy, \*Haston, \*Warner, \*Campbell S, \*Zachary, \*Capley, \*Williams, \*Ragan, \*Grills, \*Cochran, \*Powers, \*Eldridge, \*Baum. (\*SB3 by \*Johnson, \*Crowe, \*Bowling, \*Haile, \*Hensley, \*Yager, \*Bailey, \*Jackson, \*Stevens, \*Niceley, \*Reeves, \*Taylor, \*Pody, \*Rose, \*Watson)

On motion, House Bill No. 9 was made to conform with **Senate Bill No. 3**; the Senate Bill was substituted for the House Bill.

Rep. Todd moved that Senate Bill No. 3 be passed on third and final consideration.

Rep. Hulseley moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 3 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 7-51-1401, is amended by adding the following language as new subdivisions:

( ) "Adult cabaret entertainment":

(A) Means adult-oriented performances that are harmful to minors, as that term is defined in § 39-17-901, and that feature topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers; and

(B) Includes a single performance or multiple performances by an entertainer;

( ) "Entertainer" means a person who provides:

(A) Entertainment within an adult-oriented establishment, regardless of whether a fee is charged or accepted for entertainment and regardless of whether entertainment is provided as an employee, escort as defined in § 7-51-1102, or an independent contractor; or

(B) A performance of actual or simulated specified sexual activities, including removal of articles of clothing or appearing unclothed, regardless of whether a fee is charged or accepted for the performance

and regardless of whether the performance is provided as an employee or an independent contractor;

SECTION 2. Tennessee Code Annotated, Section 7-51-1407, is amended by adding the following language as a new subsection:

(c)

(1) It is an offense for a person to perform adult cabaret entertainment:

(A) On public property; or

(B) In a location where the adult cabaret entertainment could be viewed by a person who is not an adult.

(2) Notwithstanding § 7-51-1406, this subsection (c) expressly:

(A) Preempts an ordinance, regulation, restriction, or license that was lawfully adopted or issued by a political subdivision prior to the effective date of this act that is in conflict with this subsection (c); and

(B) Prevents or preempts a political subdivision from enacting and enforcing in the future other ordinances, regulations, restrictions, or licenses that are in conflict with this subsection (c).

(3) A first offense for a violation of subdivision (c)(1) is a Class A misdemeanor, and a second or subsequent such offense is a Class E felony.

SECTION 3. This act takes effect April 1, 2023, the public welfare requiring it, and applies to prohibited conduct occurring on or after that date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

### EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Camper

### REGULAR CALENDAR, CONTINUED

Rep. Warner moved the previous question, which motion prevailed by the following vote:

Ayes ..... 74

Noes..... 20

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson, Towns--20

### EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Beck

### REGULAR CALENDAR, CONTINUED

Rep. Todd moved that **Senate Bill No. 3**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 74  
Noes..... 19

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, McKenzie, Miller, Mitchell, Parkinson, Powell, Shaw, Thompson--19

A motion to reconsider was tabled.

**\*House Bill No. 1** -- Public Health - As introduced, prohibits a healthcare provider from performing on a minor or administering to a minor a medical procedure if the performance or administration of the procedure is for the purpose of enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex. - Amends TCA Title 28; Title 29; Title 33; Title 34; Title 36; Title 37; Title 39; Title 40; Title 49; Title 56; Title 63; Title 68 and Title 71. by \*Lamberth, \*Cepicky, \*Martin B, \*Hulsey, \*Slater, \*Hale, \*Hawk, \*Bricken, \*Williams, \*Bulso, \*Davis, \*Carringer, \*Marsh, \*Howell, \*Lynn, \*Sparks, \*Gant, \*Leatherwood, \*Eldridge, \*Holsclaw, \*Reedy, \*Campbell S, \*Baum, \*Moody, \*Boyd, \*Powers. (SB1 by \*Johnson, \*Crowe, \*Bailey, \*Hensley, \*Jackson, \*Reeves, \*Stevens, \*Rose, \*Taylor)

On motion, House Bill No. 1 was made to conform with **Senate Bill No. 1**; the Senate Bill was substituted for the House Bill.

Rep. Lamberth moved that Senate Bill No. 1 be passed on third and final consideration.

Rep. Terry requested that Health Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Farmer requested that Civil Justice Committee Amendment No. 1, as House Amendment No. 2, be placed at the heel of the amendments.

Rep. Hulsey moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 1 by deleting subsection (m) in § 68-33-101 in the amendatory language of Section 1 and substituting:

(m) The legislature declares that the integrity and public respect of the medical profession are significantly harmed by healthcare providers performing or administering such medical procedures on minors. This state has a legitimate, substantial, and compelling interest in securing a minor's fundamental right at common law to be protected from physical harms to their body, including, but not limited to, interference with or disruption of the proper functioning of their healthy organs according to their biologic purpose. This state has a legitimate, substantial, and compelling interest in protecting the ability of minors to develop into adults who can create children of their own. This state has a legitimate, substantial, and compelling interest in protecting the integrity of the medical profession, including by prohibiting medical procedures that are harmful, unethical, immoral, experimental, or unsupported by high-quality or long-term studies, or that might encourage minors to become disdainful of their sex.

Rep. Garrett moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes .....	51
Noes.....	41
Present and not voting.....	1

Representatives voting aye were: Baum, Boyd, Bulso, Burkhart, Butler, Clemmons, Cochran, Darby, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Hakeem, Hale, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Holsclaw, Hurt, Jernigan, Johnson C, Johnson G, Jones, Lafferty, Lamberth, Littleton, Marsh, Martin B, McCalmon, Mitchell, Moon, Powers, Slater, Sparks, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, White, Whitson, Wright, Zachary, Mr. Speaker Sexton--51

Representatives voting no were: Alexander, Barrett, Bricken, Campbell S, Capley, Carringer, Cepicky, Chism, Crawford, Davis, Dixie, Doggett, Fritts, Glynn, Grills, Hardaway, Harris, Hicks T, Howell, Hulsey, Keisling, Kumar, Leatherwood, Lynn, Martin G, McKenzie, Miller, Moody, Parkinson, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Stevens, Warner, Williams--41

Representatives present and not voting were: Haston--1

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Powell

**REGULAR CALENDAR, CONTINUED**

Rep. Clemmons moved adoption of House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND Senate Bill No. 1 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 68, is amended by adding the following as a new chapter:

**68-33-101. Findings.**

(a) The legislature declares that it must take action to protect the health and welfare of minors.

(b) The legislature finds that medical procedures are being performed on and administered to minors in this state.

(c) This state has a legitimate, substantial, and compelling interest in protecting minors from physical and emotional harm. This state has a legitimate, substantial, and compelling interest in promoting the dignity of minors.

(d) Therefore, it is the purpose of this chapter to prohibit medical procedures from being administered to or performed on minors when the purpose of the medical procedure is to:

(1) Enable a minor to identify with, or live as, a purported identity inconsistent with the minor's sex; or

(2) Treat purported discomfort or distress from a discordance between the minor's sex and asserted identity.

**68-33-102. Definitions.**

As used in this chapter:

(1) "Congenital defect" means a physical or chemical abnormality present in a minor that is inconsistent with the normal development of a human being of the minor's sex, including abnormalities caused by a medically verifiable disorder of sex development, but does not include gender dysphoria, gender identity disorder, gender incongruence, or any mental condition, disorder, disability, or abnormality;

(2) "Healthcare provider" means a healthcare professional, establishment, or facility licensed, registered, certified, or permitted pursuant to this title or title 63 and under the regulatory authority of:

(A) The department of health;

(B) An agency, board, council, or committee attached to the department of health; or

(C) The health facilities commission;

(3) "Knowing" and "knowingly" have the same meaning as the term "knowing" is defined in § 39-11-302;

(4) "Medical procedure" means surgically removing, modifying, altering, or entering into tissues, cavities, or organs of a human being;

(5) "Minor" means an individual under eighteen (18) years of age;

(6) "Parent" means any biological, legal, or adoptive parent or parents of the minor or any legal guardian of the minor; and

(7) "Sex" means a person's immutable characteristics of the reproductive system that define the individual as male or female, as determined by anatomy and genetics existing at the time of birth.

**68-33-103. Prohibitions.**

(a)

(1) A healthcare provider shall not knowingly perform or offer to perform on a minor, or administer or offer to administer to a minor, a medical procedure if the performance or administration of the procedure is for the purpose of:

(A) Enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex; or

(B) Treating purported discomfort or distress from a discordance between the minor's sex and asserted identity.

(2) Subdivision (a)(1) applies to medical procedures that are performed or administered in this state.

(b)

(1) It is not a violation of subsection (a) if a healthcare provider knowingly performs, or offers to perform, a medical procedure on or administers, or offers to administer, a medical procedure to a minor if the performance or administration of the medical procedure is to treat a minor's congenital defect, precocious puberty, disease, or physical injury.

(2) For purposes of subdivision (b)(1), "disease" does not include gender dysphoria, gender identity disorder, gender incongruence, or any mental condition, disorder, disability, or abnormality.

(c)

(1) It is not a defense to any legal liability incurred as the result of a violation of this section that the minor, or a parent of the minor, consented to the conduct that constituted the violation.

(2) This section supersedes any common law rule regarding a minor's ability to consent to a medical procedure that is performed or administered for the purpose of:

(A) Enabling the minor to identify with, or live as, a purported identity inconsistent with the minor's sex; or

(B) Treating purported discomfort or distress from a discordance between the minor's sex and asserted identity.

**68-33-104. Private Right of Action.**

(a)

(1) Except as otherwise provided in subdivision (a)(2), a minor, or the parent of a minor, injured as a result of a violation of this chapter, may bring a civil cause of action to recover compensatory damages, punitive damages, and reasonable attorney's fees, court costs, and expenses, against the healthcare provider alleged to have violated § 68-33-103.

(2) The parent of a minor injured as a result of a violation of this chapter shall not bring a civil cause of action against a healthcare provider or another person if the parent consented to the conduct that constituted the violation on behalf of the minor.

(b) The parent or next of kin of a minor may bring a wrongful death action, pursuant to title 20, chapter 5, part 1, against a healthcare provider alleged to have violated § 68-33-103, if the injured minor is deceased and:

(1) The minor's death is the result of the physical or emotional harm inflicted upon the minor by the violation; and

(2) The parent of the minor did not consent to the conduct that constituted the violation on behalf of the minor.

(c) If a court in any civil action brought pursuant to this section finds that a healthcare provider knowingly violated § 68-33-103, then the court shall notify the appropriate regulatory authority and the attorney general and reporter by mailing a certified copy of the court's order to the regulatory authority and the attorney general and reporter. Notification pursuant to this subsection (c) shall be made upon the judgment of the court being made final.

(d) For purposes of subsection (a), compensatory damages may include:

(1) Reasonable economic losses caused by the emotional, mental, or physical effects of the violation, including, but not limited to:

(A) The cost of counseling, hospitalization, and any other medical expenses connected with treating the harm caused by the violation;

(B) Any out-of-pocket costs of the minor paid to the healthcare provider for the prohibited medical procedure; and

(C) Loss of income caused by the violation; and

(2) Noneconomic damages caused by the violation, including, but not limited to, psychological and emotional anguish.

(e) Notwithstanding any law to the contrary, an action commenced under this section must be brought:



(1) Within ten (10) years from the date the minor reaches eighteen (18) years of age; or

(2) Within ten (10) years of the minor's death if the minor dies.

(f) This section is declared to be remedial in nature, and this section must be liberally construed to effectuate its purposes.

**68-33-105. Attorney General and Reporter's Right of Action.**

(a) The attorney general and reporter shall establish a process by which violations of this chapter may be reported.

(b) The attorney general and reporter may bring an action against a healthcare provider or any person that knowingly violates this chapter, within twenty (20) years of the violation, to enjoin further violations, to disgorge any profits received due to the medical procedure, and to recover a civil penalty of twenty-five thousand dollars (\$25,000) per violation. Each time a healthcare provider performs or administers a medical procedure in violation of § 68-33-103 constitutes a separate violation.

(c) A civil penalty collected pursuant to this section must be paid into the general fund of this state.

(d) The attorney general and reporter is entitled to reasonable attorney's fees, court costs, and expenses if the attorney general and reporter prevails in an action brought pursuant to this section.

(e) Jurisdiction for an action brought pursuant to this section is in the chancery or circuit court of Williamson County or circuit court in the county where the violation occurred.

**68-33-106. Healthcare Provider Licensing Sanctions.**

A violation of § 68-33-103 constitutes a potential threat to public health, safety, and welfare and requires emergency action by an alleged violator's appropriate regulatory authority. Upon receiving notification pursuant to § 68-33-104(c), or upon otherwise becoming aware of an alleged violation of § 68-33-103, the appropriate regulatory authority shall proceed pursuant to title 63 or this title, as applicable.

**68-33-107. Minor Immunity.**

A minor upon whom a medical procedure is performed or administered must not be held liable for violating this chapter.

**68-33-108. Application.**

This chapter does not prohibit or restrict psychological practice regulated pursuant to title 63, chapter 11; the practice of professional counseling regulated

pursuant to title 63, chapter 22; or the practice of social work regulated pursuant to title 63, chapter 23.

SECTION 2. Tennessee Code Annotated, Section 63-1-169, is amended by deleting the section.

SECTION 3. If any provision of this act, or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 4. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it, and applies to actions occurring on or after that date.

Rep. Ragan moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes ..... 72  
Noes ..... 19

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--72

Representatives voting no were: Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--19

Rep. Mitchell moved adoption of House Amendment No. 5 as follows:

**Amendment No. 5**

AMEND Senate Bill No. 1 by adding the following new section to Section 1:

**68-33-110. Cosmetic Surgeries for Minors.**

(a) A healthcare provider shall not perform or offer to perform on a minor, or administer or offer to administer to a minor, a medical procedure if the performance or administration of the procedure is for cosmetic purposes only. This section does not limit, but is in addition to, the requirements of this chapter.

(b) For purposes of this section, "cosmetic purposes" means the procedure is intended to enhance the physical appearance of the human body.

Rep. Faison moved that House Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes .....	73
Noes.....	19

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Gillespie, Grills, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--73

Representatives voting no were: Chism, Clemmons, Dixie, Freeman, Glynn, Hakeem, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, McKenzie, Miller, Mitchell, Parkinson, Shaw, Thompson, Towns--19

Rep. Terry moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Warner moved the previous question, which motion prevailed.

Rep. Lamberth moved that **Senate Bill No. 1** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	77
Noes.....	16

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Campbell S, Capley, Carringer, Cepicky, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Fritts, Gant, Garrett, Gillespie, Grills, Hakeem, Hale, Haston, Hawk, Hazlewood, Helton-Haynes, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Sherrell, Slater, Sparks, Stevens, Terry, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--77

**THURSDAY, FEBRUARY 23, 2023 – NINTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives voting no were: Chism, Clemmons, Dixie, Freeman, Glynn, Hardaway, Harris, Hemmer, Jernigan, Johnson G, Jones, McKenzie, Miller, Mitchell, Shaw, Thompson--16

A motion to reconsider was tabled.

**\*House Bill No. 66** -- Health Care - As introduced, authorizes the department of intellectual and developmental disabilities to provide home health services to outpatients through its administration of the Tennessee Early Intervention System and the home- and community-based services provided through such system. - Amends TCA Title 68, Chapter 11, Part 2. by \*Lamberth, \*Cochran, \*Butler, \*Sherrell, \*Ragan, \*Lynn, \*Moody. (SB248 by \*Johnson, \*Crowe)

On motion, House Bill No. 66 was made to conform with **Senate Bill No. 248**; the Senate Bill was substituted for the House Bill.

Rep. Butler moved that Senate Bill No. 248 be passed on third and final consideration.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. Butler moved that **Senate Bill No. 248** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Miller, Moody, Moon, Parkinson, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--85

A motion to reconsider was tabled.

**\*House Bill No. 81** -- Environment and Conservation, Department of - As introduced, allows the department to disclose motor vehicle accident reports to authorized persons relating to a guest's use of state parks. - Amends TCA Section 11-1-102. by \*Lamberth, \*Cochran, \*Capley, \*Lynn. (SB262 by \*Johnson, \*Southerland)

On motion, House Bill No. 81 was made to conform with **Senate Bill No. 262**; the Senate Bill was substituted for the House Bill.

Rep. Capley moved that **Senate Bill No. 262** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, Miller, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton--88

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. Parkinson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 301 out of order, which motion prevailed.

**\*House Joint Resolution No. 301** -- Memorials, Recognition - Montford Point Marines. by \*Parkinson, \*Crawford, \*Camper.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Parkinson moved that all members voting aye on House Joint Resolution No. 301 be added as co-prime sponsors with the Black Caucus listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Todd and Ragan.

On motion of Rep. Parkinson, the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bills Nos. 521, 1313, 690 and 883** to be heard in the Health Committee next week, which motion prevailed.

## CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. Pearson was excused from Session on Thursday, February 23, 2023.

**APPOINTMENT**

The Speaker announced Rep. Cepicky was appointed to the Education Administration Committee.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 99** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 100** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 102** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 105** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 106** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 110** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 111** Reps. Leatherwood and Cochran as prime sponsors.

**House Joint Resolution No. 112** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 113** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 114** Rep. Cochran as prime sponsor.

**House Joint Resolution No. 118** Rep. Faison as prime sponsor.

**House Bill No. 137** Rep. Crawford as prime sponsor.

**House Bill No. 166** Rep. Powers as prime sponsor.

**House Bill No. 311** Rep. Powers as prime sponsor.

**House Bill No. 704** Rep. Sherrell as prime sponsor.

**House Bill No. 762** Rep. Faison as prime sponsor.

**House Bill No. 976** Reps. Hulse, Parkinson, Boyd, Lynn, Warner, Doggett, Moody, Hakeem, Lamberth, Chism, Leatherwood, Thompson, Vaughan, Fritts, Powell and Beck as prime sponsors.

**House Bill No. 1019** Rep. Cepicky as prime sponsor.

**House Bill No. 1025** Rep. Davis as prime sponsor.

**House Bill No. 1187** Rep. Russell as prime sponsor.

**House Bill No. 1212** Rep. White as prime sponsor.

**House Bill No. 1217** Rep. Lamberth as prime sponsor.

**House Bill No. 1272** Rep. Faison as prime sponsor.

**House Bill No. 1307** Rep. Faison as prime sponsor.

**House Bill No. 1431** Rep. Doggett as prime sponsor.

#### **SPONSORS WITHDRAWN**

On Motion, Reps. Travis and Marsh withdrew as sponsor of **House Bill No. 883**.

On Motion, Rep. Marsh withdrew as sponsor of **House Bill No. 1440**.

#### **ENGROSSED BILLS February 23, 2023**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No. 237;

GREG GLASS, Chief Engrossing Clerk

#### **ENGROSSED BILLS February 23, 2023**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No. 235;

GREG GLASS, Chief Engrossing Clerk

#### **SIGNED February 23, 2023**

The Speaker announced that he had signed the following: Senate Bill No. 53.

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TAMMY LETZLER, Chief Clerk

**ENROLLED BILLS  
February 23, 2023**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 20; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
February 23, 2023**

The Speaker announced that he had signed the following: House Resolution No. 20.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
February 23, 2023**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 29, 413, 450 and 486; House Joint Resolutions Nos. 55, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 238, 239, 240 and 301;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
February 23, 2023**

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 202 and 210; substituted for Senate Bills on same subject and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
February 23, 2023**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 125, 133, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185 and 235; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
February 23, 2023**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.



MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 29, 46, 49, 54, 79, 103, 126, 160, 214, 246, 256, 261, 266, 284, 363, 367, 501, 583, 680, 721, 886, 953, 976 and 1369; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 29** -- Sunset Laws - As introduced, extends the board for professional counselors, marital and family therapists, and clinical pastoral therapists to June 30, 2027. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 22. by \*Roberts. (HB195 by \*Ragan)

**\*Senate Bill No. 46** -- Sunset Laws - As introduced, extends the employee suggestion award board to June 30, 2027. - Amends TCA Title 4, Chapter 27 and Title 4, Chapter 29. by \*Roberts. (HB212 by \*Ragan)

**\*Senate Bill No. 49** -- Sunset Laws - As introduced, extends the Megasite Authority of West Tennessee to June 30, 2025. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 9. by \*Roberts, \*Walley. (HB215 by \*Ragan)

**\*Senate Bill No. 54** -- Sunset Laws - As introduced, extends the selection panel for TennCare reviewers to June 30, 2028. - Amends TCA Title 4, Chapter 29 and Title 56, Chapter 32. by \*Roberts. (HB220 by \*Ragan)

**\*Senate Bill No. 79** -- Motor Vehicles, Titling and Registration - As introduced, authorizes a person who, after applying for or receiving a motor vehicle title or registration, moves from the address named in the application or title or registration, or changes names, to submit the required notice to the department in writing or electronically. - Amends TCA Title 54; Title 55; Title 65 and Title 67. by \*Massey. (HB142 by \*Faison, \*Howell)

**\*Senate Bill No. 103** -- State Government - As introduced, clarifies that employees of state governmental entities who are compensated through funding sources other than this state are subject to the Tennessee State Employees Uniform Nepotism Policy Act of 1980; creates criminal and civil penalties for a state employee who violates the Act; authorizes the attorney general and reporter to investigate violations of the Act. - Amends TCA Title 8, Chapter 31 and Title 8, Chapter 6. by \*Gardenhire. (HB611 by \*Hawk)

**Senate Bill No. 126** -- Solid Waste Disposal - As introduced, makes unpaid solid waste disposal fees subject to the same penalty and interest as delinquent property taxes if not paid within 30 days after notice of such fee is mailed in any county where such fee is imposed instead of only the six counties that are designated by population under present law. - Amends TCA Title 68, Chapter 211, Part 8. by \*Walley. (\*HB111 by \*Capley)

**\*Senate Bill No. 160** -- Campaigns and Campaign Finance - As introduced, designates "political campaign committees" and "multicandidate political campaign committees" as "political action committees"; makes various changes to campaign finance laws and the duties of the registry of election finance. - Amends TCA Title 2, Chapter 10; Title 3, Chapter 6; Title 4,

Chapter 55; Title 8, Chapter 50, Part 5 and Title 57. by \*Briggs, \*Gardenhire. (HB183 by \*Whitson, \*Johnson C, \*Burkhart)

**\*Senate Bill No. 214** -- Codes - As introduced, expands the exemption of certain steam boilers used for heating purposes located in private residences or in apartment houses of less than six families from certain inspection requirements from boilers carrying a pressure of not more than 15 pounds per square inch gauge to not more than 16 pounds per square inch gauge. - Amends TCA Title 68, Chapter 122. by \*Johnson. (HB1452 by \*Faison)

**Senate Bill No. 246** -- Human Services, Dept. of - As introduced, increases, from three to four years, the duration of Tennessee opportunity pilot programs for which temporary assistance for needy families (TANF) program funds must be dedicated; extends, from 12 to 18 months, the length of time following the end of each federal fiscal year by which the department must spend all unobligated TANF program funds; makes other related revisions. - Amends TCA Section 71-5-1201; Section 71-5-1203 and Section 71-5-1204. by \*Johnson, \*Watson, \*Yager, \*Yarbro. (\*HB64 by \*Lamberth, \*Cochran, \*Hawk, \*Sherrell, \*Terry)

**Senate Bill No. 256** -- Drug and Alcohol Rehabilitation - As introduced, extends criminal immunity to persons who are experiencing a drug overdose and who are seeking medical assistance, regardless of whether it is their first or subsequent overdose. - Amends TCA Section 63-1-156. by \*Johnson, \*Stevens, \*Bowling. (\*HB75 by \*Lamberth, \*Cochran, \*Whitson, \*Hardaway, \*Sherrell)

**Senate Bill No. 261** -- Water Pollution - As introduced, specifies that underground injection activities authorized by rule are not subject to the general five-year term limit for discharge permits under the Water Quality Control Act of 1977. - Amends TCA Section 69-3-108. by \*Johnson, \*Lowe. (\*HB80 by \*Lamberth, \*Cochran, \*Hale)

**\*Senate Bill No. 266** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes changes to the law regarding assignment of benefits to a healthcare provider. - Amends TCA Section 56-7-120 and Title 68, Chapter 11, Part 2. by \*Johnson, \*Bowling. (HB314 by \*Lamberth, \*Cochran, \*Vital)

**\*Senate Bill No. 284** -- Capital Punishment - As introduced, establishes the procedure for the administrative office of the courts to issue payment to an expert who makes a court-ordered determination of intellectual disability in a person who has been sentenced to death prior to May 11, 2021. - Amends TCA Title 39, Chapter 13, Part 2. by \*Gardenhire, \*Yarbro. (HB612 by \*Hawk)

**Senate Bill No. 363** -- TennCare - As introduced, prohibits the state from filing certain claims seeking recovery against the estates of deceased ABLE account beneficiaries. - Amends TCA Title 71, Chapter 4, Part 8. by \*Massey. (\*HB371 by \*Darby)

**\*Senate Bill No. 367** -- Local Government, General - As introduced, prohibits political subdivisions from prohibiting, based on the type or source of energy to be delivered to an individual customer, the sale or installation of an appliance utilized for cooking, space heating, water heating, or another end use. - Amends TCA Section 7-51-2102. by \*Walley, \*Gardenhire, \*Lowe, \*Akbari, \*Bailey, \*Bowling, \*Crowe, \*Niceley, \*Reeves, \*Rose, \*Stevens, \*Southerland, \*Taylor, \*White. (HB483 by \*Boyd)

**\*Senate Bill No. 501** -- Criminal Offenses - As introduced, specifies that certain sexual offenses committed against minor victims of a certain age apply based on the age of the victim at the time of the offense. - Amends TCA Title 39, Chapter 13, Part 5. by \*Watson, \*Akbari, \*Bailey, \*Bowling, \*Briggs, \*Campbell, \*Crowe, \*Gardenhire, \*Haile, \*Hensley, \*Jackson, \*Johnson, \*Kyle, \*Lamar, \*Lowe, \*Lundberg, \*Massey, \*Niceley, \*Oliver, \*Pody, \*Powers, \*Reeves, \*Roberts, \*Rose, \*Southerland, \*Stevens, \*Swann, \*Taylor, \*Walley, \*White, \*Yager, \*Yarbro, \*McNally. (HB659 by \*Martin G)

**Senate Bill No. 583** -- Marriage - As introduced, clarifies that former municipal judges may solemnize a marriage. - Amends TCA Title 36, Chapter 3, Part 3. by \*Pody, \*Bowling. (\*HB339 by \*Raper)

**\*Senate Bill No. 680** -- TennCare - As introduced, clarifies that the Medical Assistance Act of 1968 does not require a vendor, healthcare provider, or telehealth provider group that provides healthcare services exclusively via telehealth to have a physical address or site in this state in order to be eligible to enroll as a vendor, provider, or provider group for the medical assistance program. - Amends TCA Title 71, Chapter 5. by \*Reeves. (HB895 by \*Hurt)

**Senate Bill No. 721** -- Health Care - As introduced, exempts a patient receiving an initial behavioral health evaluation via telehealth from the requirement that a patient have an in-person encounter with a healthcare services provider, the healthcare services provider's practice group, or the healthcare system within 16 months prior to an interactive visit in order to establish a provider-patient relationship for purposes of telehealth; allows a physician assistant who is authorized to prescribe drugs and who provides services via telehealth to arrange for chart review by a collaborating physician via HIPAA-compliant electronic means. - Amends TCA Title 56 and Title 63. by \*Massey, \*Yager, \*Yarbro. (\*HB498 by \*Martin B)

**Senate Bill No. 886** -- Charitable Solicitations - As introduced, exempts a child care agency from the registration requirements for charitable organizations. - Amends TCA Title 48, Chapter 101. by \*Akbari, \*Lamar. (\*HB671 by \*Johnson G)

**Senate Bill No. 953** -- Medical Occupations - As introduced, authorizes the board of examiners in psychology to designate as a health service provider in this state, a person who has held a license to practice psychology in another state under certain conditions. - Amends TCA Title 4 and Title 63, Chapter 11. by \*Walley. (\*HB690 by \*Martin B)

**Senate Bill No. 976** -- Motor Vehicles - As introduced, replaces the term "motor-driven cycle" with "motorscooter" for various purposes related to the operation of such vehicles, including issuance of operator licenses, the rules of the road, and required safety and lighting equipment. - Amends TCA Title 55. by \*Powers, \*Bowling, \*Rose. (\*HB825 by \*Gillespie, \*White)

**Senate Bill No. 1369** -- Insurance Companies, Agents, Brokers, Policies - As introduced, removes the requirement that an individual applying for an insurance producer license take a prelicensing course of study for a line of authority; removes other references to the prelicensing education requirement for applicants for an insurance producer license. -

Amends TCA Title 56, Chapter 6, Part 1. by \*Southerland, \*Yager. (\*HB608 by \*Hawk, \*Kumar, \*Helton-Haynes)

**ROLL CALL**

The roll call was taken with the following results:

Present..... 92

Representatives present were Alexander, Barrett, Baum, Boyd, Bricken, Bulso, Burkhart, Butler, Capley, Carringer, Cepicky, Chism, Clemmons, Cochran, Crawford, Darby, Davis, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Fritts, Gant, Garrett, Gillespie, Glynn, Grills, Hakeem, Hale, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton-Haynes, Hemmer, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Jones, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Marsh, Martin B, Martin G, McCalmon, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Powers, Ragan, Raper, Reedy, Richey, Rudd, Rudder, Russell, Shaw, Sherrell, Slater, Sparks, Stevens, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, White, Whitson, Williams, Wright, Zachary, Mr. Speaker Sexton -- 92

**RECESS**

On motion of Rep. Cochran, the House stood in recess until 5:00 p.m., Monday, February 27, 2023.